EXHIBIT 1

FIFTH JUDICIAL DISTRICT
EDDY COUNTY NM
FILED IN MY OFFICE

2006 APR 10 PM 2:50

JOYCE A. HATFIELD
DISTRICT COURT CLERK

FIFTH JUDICIAL DISTRICT
COUNTY OF EDDY
STATE OF NEW MEXICO

CARL CASE,
Petitioner,

vs. No. CR82-070

EERASMO BRAVO,
Respondent.

ORDER RELIEF ON WRIT OF HABEAS CORPUS

THIS MATTER having come before the Court upon Carl Cases' Writ of Habeas Corpus and the Court having heard evidence and reviewed the Court record and being fully advised FINDS:

1) The State did not illegally suppress evidence that was materially favorable to the Defendant.

2) The State did not knowingly or recklessly use false testimony at Defendant's trial.

3) The recantations of Paul Dunlap and Audrey Knight do not constitute newly discovered evidence in that assuming arguendo, that their original testimony was false, the Defendant knew it was false when given. The Defendant's counsel could not find evidence to prove Defendant claimed alibi and did not rebut the "false" testimony. Defendant in fact conformed his testimony to match the "false" testimony, took the stand and corroborated much of the "false" testimony with his own testimony.

4) Law Enforcement's interrogation of Paul Dunlap and Audrey Knight do not shock the conscience of the Court and do not constitute impermissible police conduct.

5) The Court does not find a new trial warranted by "cumulative error."

IT IS THEREFORE ORDERED that the relief sought in Carl Cases' Petition shall be and IS DENIED.

Gary L. Clingman
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to counsel on the 10th day of April, 2006:

Peter Schoenburg, Esquire
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[signature]
Deputy